

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chairman Kelly Gebhardt, on March 30, 2009 at 3:00 P.M., in Room 422 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Kelly Gebhardt, Chairman (R)  
Sen. Debby Barrett, Vice Chairman (R)  
Sen. Aubyn Curtiss (R)  
Sen. Ken (Kim) Hansen (D)  
Sen. Jim Keane (D)  
Sen. Gary L. Perry (R)  
Sen. Mitch Tropila (D)

##### **Members Excused:**

Sen. Christine Kaufmann (D)  
Sen. Jim Peterson (R)  
Sen. Donald J. Steinbeisser (R)  
Sen. David E. Wanzonried (D)

**Members Absent:** None

**Staff Present:** Lindsey Hern, Committee Secretary  
Sonja Nowakowski, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 52, 3/27/2009

Executive Action: HB 40; HB 425; HB 52

Vice Chair Barrett took up the position as Chair before executive action.

**EXECUTIVE ACTION ON HB 40**

HB 40 was previously amended on 03/23/2009.

00:00:34 **Motion/Vote:** Sen. Gebhardt moved that **HB 40 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Kaufmann, Sen. Peterson, Sen. Steinbeisser and Sen. Wanzenried voted by proxy. Sen. Perry will carry the bill in the Senate.

**EXECUTIVE ACTION ON HB 425**

00:02:52 **Motion:** Sen. Hansen moved that **HB 425 BE CONCURRED IN**.

**Discussion:**

00:03:06 Sen. Gebhardt  
00:03:44 Sen. Perry  
00:03:55 Sen. Gebhardt  
00:04:12 Sen. Kaufmann came to the committee.  
00:05:04 Sen. Tropila  
00:05:35 Sen. Steinbeisser came to the committee.  
00:05:53 Sen. Gebhardt  
00:06:22 Sen. Tropila  
00:06:51 Chairwoman Barrett  
00:07:06 Sen. Tropila  
00:07:13 Sen. Gebhardt  
00:07:19 Sen. Tropila  
00:07:26 Sonja Nowakowski, Legislative Service Division (LSD)  
00:07:51 Sen. Gebhardt  
00:08:00 Sen. Tropila

00:08:20 **Motion:** Sen. Tropila moved that **HB 425 BE AMENDED**.  
**EXHIBIT (nas70a01)**

**Discussion:**

00:09:00 Sen. Gebhardt  
  
00:09:07 **Vote:** Motion that **HB 425 BE AMENDED** carried unanimously by voice vote. Sen. Peterson and Sen. Wanzenried voted by proxy.

00:09:39 **Motion:** Sen. Gebhardt moved that **HB 425 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:10:27 Sen. Kaufmann  
00:11:15 Sen. Gebhardt  
00:11:59 Chairwoman Barrett  
00:12:10 Ms. Nowakowski, LSD  
00:13:06 Sen. Tropila

00:13:36 **Motion/Vote:** Sen. Gebhardt moved that **HB 425 BE TABLED.** Motion carried 6-5 by roll call vote with Sen. Hansen, Sen. Kaufmann, Sen. Keane, Sen. Tropila, and Sen. Wanzenried voting no. Sen. Peterson and Sen. Wanzenried voted by proxy.

00:14:46 Chairwoman Barrett  
00:14:50 Sen. Gebhardt left the committee.

**HEARING ON HB 52**

**Opening Statement by Sponsor:**

00:14:59 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 52, Fund hydrogeologic study.  
**EXHIBIT(nas70a02)**

**Proponents' Testimony:**

00:21:14 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI); Senior Water Rights Coalition (SrWRC)  
00:22:23 John Youngberg, Montana Farm Bureau Federation (MFBF)  
00:23:03 Mike Murphy, Montana Water Resources Association (MWRA)  
00:23:47 Abigail St. Lawrence, Montana Association of Relators (MAR)  
00:25:02 Gary Amestoy, Richmond Economic Development Corporation  
00:29:54 Vanessa Clark, Montana Association of Water Well Drillers (WWD)  
00:30:23 Holly Franz, Upper Clark Fork Steering Committee; Clark Fork Task Force

**Opponents' Testimony:**

00:31:15 Amy Sassano, Governor's Office

**Informational Testimony:**

00:31:52 John Metish, Montana Mines and Geology (MMG)

**Questions from Committee Members and Responses:**

00:32:21 Sen. Keane  
00:32:27 Rep. McNutt  
00:32:31 Chairwoman Barrett  
00:33:12 Rep. McNutt  
00:35:09 Chairwoman Barrett  
00:35:25 Mr. Metish, MMG  
00:35:55 Chairwoman Barrett  
00:36:20 Ms. Sassnao, Governor's Office

**Closing by Sponsor:**

00:36:50 Rep. McNutt  
00:38:35 Sen. Gebhardt came to the committee and took up the position as Chair for executive action.

**EXECUTIVE ACTION ON HB 52**

00:39:37 Chairman Gebhardt

00:39:42 **Motion:** Sen. Steinbeisser moved that **HB 52 BE CONCURRED IN.**

**Discussion:**

00:39:53 Sen. Barrett  
00:40:21 Chairman Gebhardt  
00:40:27 Sen. Barrett  
00:40:55 Sen. Kaufmann

00:41:28 **Vote:** Motion that **HB 52 BE CONCURRED IN** carried 9-2 by voice vote with Sen. Hansen and Sen. Kaufmann voting no. Sen. Peterson and Sen. Wanzonried voted by proxy. Sen. Perry will carry the bill in the Senate.

**ADJOURNMENT**

Adjournment: 4:20 P.M.

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Lindsey Hern, Secretary

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Additional Documents:

**EXHIBIT ([nas70aad.pdf](#))**